

**FILED**

**JAN - 3 2007**

CLERK, U.S. DISTRICT COURT

By

Deputy

**ORIGINAL**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**DENISE WILLIAMS**  
**Plaintiff,**

**vs.**

**DALLAS COUNTY SCHOOLS**

**Defendants.**

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**CIVIL ACTION NO.**

**3-07 CV 0010-P**

**PLAINTIFF, DENISE WILLIAMS ORIGINAL COMPLAINT AND JURY DEMAND**

**TO THE HONORABLE JUDGE OF SAID COURT:**

**NOW COMES** Denise Williams, hereinafter called ("Plaintiff"), complaining of and about Dallas County Schools, hereinafter called ("Defendant"), and for cause of action shows unto the Court the following:

**PARTIES AND SERVICE**

1. Plaintiff, Denise Williams, is a citizen of the United States and the State of Texas and resides in Tarrant County, Texas.

2. Defendant Dallas County Schools ("DCS") is an education agency which services Dallas County's 15 independent school districts. DCS may be served with process by serving its superintendent Rick Sorrells, at Dallas County Schools Administration Building, located at 612 N. Zang Blvd. Dallas, Texas 75208.

**JURISDICTION**

5. The action arises under 42 U.S.C. 2000e, as hereinafter more fully appears.

### **NATURE OF ACTION**

6. This is an action under Title 42 U.S.C. Section 2000e et. seq. as amended by the Civil Rights Act of 1991 to correct unlawful employment practices on the basis of retaliation.

### **CONDITIONS PRECEDENT**

7. All conditions precedent to jurisdiction have occurred or been complied with: a charge of discrimination was filed with the Equal Employment Opportunity Commission within three-hundred days of the acts complained of herein and Plaintiff's Complaint is filed within ninety days of Plaintiff's receipt of the Equal Employment Opportunity Commission's issuance of a right to sue letter.

### **FACTS:**

8. Denise Williams was employed with DCS as a Bus Driver from January 2005, until December 2005. It is the position of Bus Driver and the discriminatory practices in this position, that she complains about herein.

9. In addition to being a Bus Driver, in April of 2005, was selected for supplemental work, to view the functionality of VCR tapes on selected bus routes.

10. In May of 2005, the Plaintiff complained to the Transportation Director Vincent Fields, about what she believed to be inappropriate comments, inappropriate touching, and harassment by her supervisor Mr. Jim Blades ("Blades").

11. After an investigation, Mr. Field's concluded that Blades' conduct was inappropriate and removed Denise Williams from Blades' supervision.

12. After Ms. Williams complained about Blades, the retaliation began, she was harassed on a daily basis, and treated differently than her counterparts.

13. In August of 2005, the Transportation Director, Vincent Fields was moved to a new facility. Ironically, the Plaintiff was immediately placed back under the supervision of Mr. Blades.

14. During this same period, Plaintiff's work hours were reduced, and she was told that her position of reviewing VCR tapes was eliminated. Plaintiff later found that the position was not eliminated, but actually given to another employee after she complained about Mr. Blades.

15. In an effort to resolve the matter, Plaintiff wrote several letters to HR, the School Board, and DCS' Superintendent complaining of the harassment, and the unfavorable treatment. Unfortunately, Plaintiff did not receive a response to any of her complaints. In addition, Plaintiff filed a grievance regarding the harassment, to no avail.

16. Thereafter, the harassment against the Plaintiff intensified; Mr. Blades encouraged employees to file false complaints against Plaintiff. Once the complaints were investigated, the employees admitted that Blades told them to make up the false complaints. Also during this time, Plaintiff was wrongfully suspended for five days, which action was endorsed by Blades.

17. In November of 2005, Mr. Blades witnessed another employee assault the Plaintiff on DCS' premises. Not only did Blades not take any action to help the Plaintiff, he never disciplined or counseled the employee that assaulted the Plaintiff.

18. During this same period, the harassment transferred over to Plaintiff's son, as he

rode the bus to and from school. Some drivers refused to take him to school, in an effort to retaliate against Plaintiff for complaining about Mr. Blades. As a result, Plaintiff son was left on the bus lot without a way to school. In turn, Plaintiff elected to take her son to school. Because of this action, Plaintiff was terminated for alleged "unauthorized use" of a motor vehicle. The problem with Plaintiff's termination is that other employees, who used the bus for similar purposes, were not terminated. Also, DCS has a progressive discipline policy that was not followed.

18. The unlawful policies and employment practices of Defendants, Dallas County Schools, by and through Defendant's agents. Specifically, Plaintiff's termination, and the manner in which she was treated, deprived Plaintiff unequal employment opportunities within the course and scope of her employment. As a result of the Defendant's conduct, Plaintiff has suffered damages for which Plaintiff herein sue.

#### **RETALIATION BY DALLAS COUNTY SCHOOLS**

19. Plaintiff alleges that Defendant Dallas County Schools instituted a campaign of retaliation which included, her suspension, and termination their termination of employment. This retaliation was and is due to Plaintiffs exercising their rights by opposing discriminatory practices and testifying, assisting, or participating in an investigation or proceeding regarding unlawful discriminatory practices. As a result of Defendant's conduct, the Plaintiff has suffered damages for which she herein sues.

## **DAMAGES**

20. Plaintiff sustained the following damages as a result of the actions and/or omissions of Defendants described hereinabove:

- a. All damages, including punitive damages to which Plaintiff may be entitled;
- b. All reasonable and necessary Attorney's fees incurred by or on behalf of Plaintiff;
- c. Back pay from the date that Plaintiff was terminated, back pay in an amount to compensate Plaintiff as the Court deems equitable and just;
- d. All reasonable and necessary costs incurred in pursuit of this suit;
- e. Emotional pain;
- f. Expert fees as the Court deems appropriate;
- g. Front pay in an amount the Court deems equitable and just to make Plaintiff whole;
- h. Inconvenience;
- I. Prejudgment interest;
- j. Loss of enjoyment of life;
- k. Mental anguish in the past;
- l. Mental anguish in the future;
- m. Loss of earnings in the past;
- n. Loss of earning capacity which will, in all probability, be incurred in the future; and

o. Loss of benefits.

**PRAYER**

**WHEREFORE, PREMISES CONSIDERED**, Plaintiff, respectfully pray that the Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendant, jointly and severally, for damages in an amount within the jurisdictional limits of the Court; exemplary damages, as addressed to each Defendant, together with interest as allowed by law; costs of court; and such other and further relief to which the Plaintiff may be entitled at law or in equity.

Respectfully submitted,

By: 

Melannise Henderson-Love

Texas Bar No. 00796741

*Plaza of the Americas*

700 N. Pearl Street, Suite 2170

Dallas, Texas 75201

Tel. (214)638-8777

Fax. (214)220-8777

Attorney for Plaintiffs

**PLAINTIFF HEREBY DEMANDS TRIAL BY JURY**

JS 44 (Rev. 10/06)

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

<b>I. (a) PLAINTIFFS</b> Denise Williams  <b>(b) County of Residence of First Listed Plaintiff</b> <u>Dallas</u> (EXCEPT IN U.S. PLAINTIFF CASES)	<b>DEFENDANTS</b> Dallas County Schools 612 N. Zang, Dallas Texas 75208  <b>County of Residence of First Listed Defendant</b> <u>Dallas</u> (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.
<b>(c) Attorney's (Firm Name, Address, and Telephone Number)</b> Mellannise Henderson-Love, Plaza of the Americas 700 N. Pearl Street, Suite 2170, Dallas, Texas 75201 (214)638-8777	<b>Attorneys (If Known)</b> <div style="font-size: 2em; font-weight: bold; text-align: center;">3-07 CV 0010-P</div>

<b>II. BASIS OF JURISDICTION</b> (Place an "X" in One Box Only)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> (Place an "X" in One Box for Plaintiff and One Box for Defendant)																								
<input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT (Place an "X" in One Box Only)						
CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES		
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury  <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other  <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157  <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark  <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))  <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	

V. ORIGIN (Place an "X" in One Box Only)							
<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment	

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

VI. CAUSE OF ACTION	Brief description of cause: Sex Discrimination, Retaliation
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VII. REQUESTED IN COMPLAINT:	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND \$ _____ CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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VIII. RELATED CASE(S) PENDING OR CLOSED (See instructions): JUDGE _____	DOCKET NUMBER _____
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DATE January 3, 2007	SIGNATURE OF ATTORNEY OF RECORD 
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FOR OFFICE USE ONLY

RECEIPT # _____	AMOUNT _____	APPLYING IFP _____	JUDGE _____	MAG. JUDGE _____
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